



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER RESOURCES

P. O. BOX 2809
TRENTON, NEW JERSEY 08625

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JUL 22 1977

Mr. Milton Nowak, Vice President
Troy Chemical Corporation
One Avenue L
Newark, New Jersey 07105

Re: Denial of Permit to Locate pursuant to N.J.S.A. 58:10-17 to 21, inclusive
Troy Chemical Corporation, City of Newark

Dear Mr. Nowak:

This Division's review of said application submittal and the subsequent site inspection on July 21, 1977 revealed the following serious problems and deficiencies:

1. No Addendum Form 9-75S was completed and submitted with the Application Form WP-3.
2. The site plan dated June 13, 1977 failed to depict various flowing discharge pipes, septic tanks, and numerous drum storage areas as found during the July 21, 1977 inspection. In addition, said site plan dated June 13, 1977 prepared by Dr. William Lintner, Jr., P.E. does not show a proper title block as required by the New Jersey State Board of Professional Engineers and Land Surveyors By Law No. 1 (copy enclosed), thereby making the plans unsuitable for acceptance by this Division.
3. In response to Application Question 10, it is stated that the means of disposal of sanitary sewage will be "Septic Tanks." The July 21, 1977 inspection revealed that said sanitary sewage is being discharged into a tributary of Newark Bay.
4. In response to Application Question 6E, it is stated that 10,000 gals/day of cooling waters are discharged into "Newark sewers." However, the investigation on July 21, 1977 revealed numerous discharges of cooling waters into a tributary of Newark Bay.

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Troy Chemical Corporation
Denial of Permit to Locate

5. The Corporation's response to Question 7 of the Application stated that industrial wastewaters are discharged into "Newark City Sewers." However, this statement was signed in certification by the City Plumbing Inspector who does not represent the City Sewer Department or Passaic Valley Sewerage Commissioners whose sewerage facilities would be affected.
6. Numerous leaking 55 gallon drums containing raw materials, finished products, and process wastes are not being stored in bermed, impervious spillage containment areas.
7. The Corporation's Spill Prevention Control and Countermeasure Plan does not depict the entire site and fails to provide impervious, diked containment areas for petroleum product storage tanks located immediately adjacent to a tributary of Newark Bay.

In view of the fact that Troy Chemical Corporation located or established its facilities including a fungicide manufacturing plant in the City of Newark without the required written permit pursuant to N.J.S.A. 58:10-17 to 21, inclusive, and failed to submit a complete, accurate Permit to Locate application submittal in response to this Division's letter of notification dated June 6, 1977, this Division has no recourse other than to deny Troy Chemical Corporation's application for said written permit for its City of Newark site and to proceed immediately with formal enforcement action.

Therefore, Troy Chemical Corporation is hereby notified that its application for said written permit for its City of Newark site is denied and that this matter is being forwarded to the Office of the Attorney General with instructions to institute a legal action pursuant to said Corporations violations of N.J.S.A. 58:10-17 to 21, inclusive and other applicable State Statutes.

Very truly yours,

William B. Honachefsky

William B. Honachefsky, Manager
Raritan - Interstate Basin
Pollution Control Monitoring,
Surveillance and Enforcement Element

E49:G3

cc: Mr. Elias Singer, President & Registered Agent, Troy Chemical Corp.
Mr. Richard Bellis, Assistant Director, Division of Water Resources
Morton Goldfein, Esq., Chief, Environmental Section, Office of the
Attorney General
Mr. Alvin Zach, Director, Department of Engineering, City of Newark
Mr. Seymour Lubetkin, Chief Engineer, Passaic Valley Sewerage Commissioners
Dr. Waller, Health Officer, City of Newark
Dr. Richard A Baker, Chief, Status of Compliance Branch, USEPA, Region II
Mr. Richard A. Flye, Chief, Water Enforcement Branch, USEPA, Region II
Mr. John Frisco, Chief, Toxic & Inorganic Section, USEPA, Region II
Mr. Paul Elliot, Chief, Emergency Response Section, USEPA, Region II
Mr. William Lintner, Jr., P.E., Chemical Construction,
Engineering Company